

Before the Board of Zoning Adjustment

PUBLIC HEARING - March 19, 1969

Appeal No. 9961-62 American Oil Company and Mary Anselmo,
appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried,
the following Order was entered at the meeting of the Board on
March 25, 1969.

EFFECTIVE DATE OF ORDER - April 21, 1969

ORDERED:

That the appeal for permission to enlarge existing gas
station at southwest corner of Park Road and Georgia Avenue, NW.,
lots 877,875,867,827,876,854 and 60, Square 2894, be conditionally
granted.

FINDINGS OF FACT:

1. The subject property is located in a C-2-A District.
2. Lots 877,875,867,827,876 and 854 are improved with
an existing gasoline service station with 2 bays and 2 pump
islands.
3. The property is separated from the residential zone
by a public alley.
4. Appellant proposes to raze all existing improvements
and construct a 3-bay Colonial design gasoline service station.
5. Appellant will tear down the Radio-TV repair shop on
lot 60 to enlarge the gasoline service station property.
6. The building will be set back 67 feet, and the two
pump islands will be set back twelve (12) feet from the
property line.

7. The Department of Highways and Traffic offered no objection to the granting of this appeal. However, the south driveway on Georgia Avenue was requested to be relocated so as to permit an existing crosswalk to remain.

8. Appellant submitted revised plans, shown as BZA Exhibit No. 10, showing the relocation of the southerly driveway on Georgia Avenue 5 feet to the north. This is accordance with the request of the Department of Highways and Traffic will permit the relocated crosswalk at this location to operate safely. No objection was offered to the relocation of the other driveways at this location.

9. Appellant amends this appeal to request variance of Section 7403.13 to permit driveway within 25 feet of street intersection to facilitate traffic flow and improve traffic safety.

10. No objection to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the appellant has shown a hardship within the meaning of the variance clause of the Zoning Regulations. The traffic control box says an electrical equipment on public telegraph poles are now in the area where the legal driveway would normally be constructed. To deny the requested relief would cause undue hardship upon the owner. Further, we hold that the granting of this appeal for the relocation and modernization of this gasoline service station would not create dangerous or other objectionable traffic conditions and that the station will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to adversely affect the use of neighboring and adjoining property.

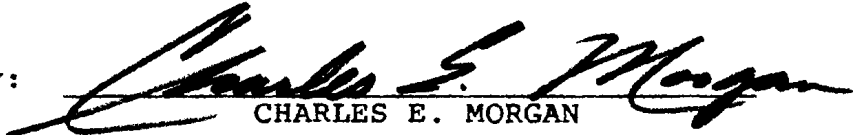
This Order is subject to the following conditions:

- (a) Any lighting used to illuminate the gasoline service station shall be so arranged so that all direct rays of light are confined to the area of the site.
- (b) All grease pits or hoists hereafter constructed or established as part of the gasoline service station shall be within a building.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:


CHARLES E. MORGAN
Secretary of the Board

The order of the Board is valid for a period of six months only unless application for a building and/or occupancy permit is filed with the Director of Inspections within a period of six months after the effective date of this Order.